

LEGISLATIVE BILL 911

Approved by the Governor April 21, 2008

Introduced by Hudkins, 21.

FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend sections 60-479, 60-4,112, 60-4,113, 60-4,117, 60-4,118.05, 60-4,122, 60-4,126, 60-4,127, 60-4,148, 60-4,149, 60-4,151, and 60-4,181, Reissue Revised Statutes of Nebraska, sections 60-484, 60-4,115, 60-4,144, and 60-4,150, Revised Statutes Cumulative Supplement, 2006, and sections 60-462, 60-463, 60-4,120.01, 60-4,123, and 60-4,124, Revised Statutes Supplement, 2007; to change provisions relating to issuance of motor vehicle operators' licenses and permits, commercial drivers' licenses, and state identification cards; to state intent; to define and redefine terms; to change provisions relating to examinations, issuance, and fees; to provide a surcharge; to harmonize provisions; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 60-462, Revised Statutes Supplement, 2007, is amended to read:

60-462 Sections 60-462 to 60-4,188 and sections 2, 4 to 6, and 8 of this act shall be known and may be cited as the Motor Vehicle Operator's License Act.

Sec. 2. It is the intent of the Legislature that the department develop, implement, and maintain processes for the issuance of operators' licenses and state identification cards designed to protect the identity of applicants for and holders of such licenses and cards and reduce identity theft, fraud, forgery, and counterfeiting to the maximum extent possible with respect to such licenses and cards. The director shall designate an implementation date for such processes which date is on or before April 1, 2009. The department shall adopt security and technology practices to enhance the enrollment, production, data storage, and credentialing system of such licenses and cards in order to maximize the integrity of the process.

Sec. 3. Section 60-463, Revised Statutes Supplement, 2007, is amended to read:

60-463 For purposes of the Motor Vehicle Operator's License Act, the definitions found in sections 60-463.01 to 60-478 and sections 4 to 6 of this act shall be used.

Sec. 4. Department means the Department of Motor Vehicles.

Sec. 5. Full legal name means an individual's first name, middle name, and last or surname without use of initials or nicknames.

Sec. 6. Principal residence means the location in Nebraska where a person resides at the time of application even if such residence is temporary.

Sec. 7. Section 60-479, Reissue Revised Statutes of Nebraska, is amended to read:

60-479 Sections 60-480 to 60-4,111.01 and 60-4,182 to 60-4,188 and section 8 of this act shall apply to any operator's license subject to the Motor Vehicle Operator's License Act.

Sec. 8. This section applies beginning on an implementation date designated by the director pursuant to section 2 of this act. All persons handling source documents or engaged in the issuance of new, renewed, or reissued operators' licenses or state identification cards shall have periodic fraudulent document recognition training.

Sec. 9. Section 60-484, Revised Statutes Cumulative Supplement, 2006, is amended to read:

60-484 ~~(1)~~ (1)(a) This subsection applies until the implementation date designated by the director pursuant to section 2 of this act. Except as otherwise provided in the Motor Vehicle Operator's License Act, no resident of the State of Nebraska shall operate a motor vehicle upon the alleys or highways of the State of Nebraska until the person has obtained an operator's license for that purpose.

~~(2)~~ (b) Application for an operator's license may be made in a manner prescribed by the Department of Motor Vehicles, department. Such application may be made to an examiner in any county. The examiner shall personally conduct the examination of the applicant and deliver to each successful applicant an examiner's certificate containing the statements made pursuant to subsection ~~(3)~~ subdivision (c) of this section. subsection.

~~(3)~~ (c) In addition to any other information and questions necessary to comply with the requirements and purposes of the act, the applicant

~~(a)~~ (i) shall provide his or her name, age, post office address, place of residence unless the applicant is a program participant under the Address Confidentiality Act, date of birth, ~~sex~~, gender, social security number, and brief description of himself or herself, ~~(b)~~ (ii) may complete the voter registration portion pursuant to section 32-308, ~~(e)~~ (iii) shall be provided the advisement language required by subsection (5) of section 60-6,197, ~~(d)~~ (iv) shall answer the following:

~~(i)~~ (A) Have you within the last three months (e.g. due to diabetes, epilepsy, mental illness, head injury, stroke, heart condition, neurological disease, etc.):

~~(A)~~ (I) lost voluntary control or consciousness ... yes ... no

~~(B)~~ (II) experienced vertigo or multiple episodes of dizziness or fainting ... yes ... no

~~(C)~~ (III) experienced disorientation ... yes ... no

~~(D)~~ (IV) experienced seizures ... yes ... no

~~(E)~~ (V) experienced impairment of memory, memory loss ... yes ... no

Please explain:

~~(ii)~~ (B) Do you experience any condition which affects your ability to operate a motor vehicle? (e.g. due to loss of, or impairment of, foot, leg, hand, arm; neurological or neuromuscular disease, etc.) ... yes ... no

Please explain:

~~(iii)~~ (C) Since the issuance of your last driver's license/permit has your health or medical condition changed or worsened? ... yes ... no

Please explain, including how the above affects your ability to drive:, and ~~(e)~~ (v) may answer the following:

~~(i)~~ (A) Do you wish to register to vote as part of this application process?

OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING QUESTIONS:

~~(ii)~~ (B) Do you wish to be an organ and tissue donor?

~~(iii)~~ (C) Do you wish to receive any additional specific information regarding organ and tissue donation and the Donor Registry of Nebraska?

~~(iv)~~ (D) Do you wish to donate \$1 to promote the Organ and Tissue Donor Awareness and Education Fund?

~~(4)~~ (d) Application for an operator's license shall be made under oath or affirmation of the applicant.

~~(5)~~ (e) The social security number shall not be printed on the operator's license and shall be used only ~~(a)~~ (i) to furnish driver record information to the United States Selective Service System under section 60-483, ~~(b)~~ (ii) with the permission of the director in connection with the verification of the status of an individual's driving record in this state or any other state, ~~(e)~~ (iii) for purposes of child support enforcement pursuant to section 42-358.08 or 43-512.06, or ~~(d)~~ beginning on an implementation date designated by the director, (iv) to furnish information regarding an applicant for or holder of a commercial driver's license with a hazardous materials endorsement to the Transportation Security Administration of the United States Department of Homeland Security or its agent.

~~(6)~~~~(a)~~ (f) (i) Except for an individual under the age of eighteen years, each individual applying for an operator's license or a state identification card shall furnish proof of date of birth and identity by a valid Nebraska operator's license, a valid Nebraska learner's permit, a valid Nebraska school permit, a valid operator's license from another state or jurisdiction of the United States, a certified birth certificate, a certified birth registration, a valid United States passport, a valid United States military identification card, United States military discharge papers, other United States-based identification as approved by the director, or information preserved in the digital system implemented under section 60-484.01.

~~(b)~~ (ii) Any individual under the age of eighteen years applying for an operator's license or a state identification card shall provide a certified copy of his or her birth certificate, a certified birth registration, or other reliable proof of his or her identity and age accompanied by a certification signed by a parent or guardian explaining the inability to produce a copy of such birth certificate. The applicant may be required to furnish proof to the examiner that the parent or guardian signing the certification is in fact the parent or guardian of such applicant.

(2) (a) This subsection applies beginning on the implementation date designated by the director pursuant to section 2 of this act. Except as otherwise provided in the Motor Vehicle Operator's License Act, no resident of the State of Nebraska shall operate a motor vehicle upon the alleys or highways of this state until the person has obtained an operator's license for that purpose.

(b) Application for an operator's license or a state identification

card shall be made in a manner prescribed by the department. Such application may be made to department personnel in any county. Department personnel shall conduct the examination of the applicant and deliver to each successful applicant an issuance certificate containing the statements made pursuant to subdivision (c) of this subsection.

(c) The applicant (i) shall provide his or her full legal name, date of birth, mailing address, gender, race or ethnicity, and social security number, two forms of proof of address of his or her principal residence unless the applicant is a program participant under the Address Confidentiality Act, evidence of identity as required by subdivision (2)(f) of this subsection, and a brief physical description of himself or herself, (ii) may complete the voter registration portion pursuant to section 32-308, (iii) shall be provided the advisement language required by subsection (5) of section 60-6,197, (iv) shall answer the following:

(A) Have you within the last three months (e.g. due to diabetes, epilepsy, mental illness, head injury, stroke, heart condition, neurological disease, etc.):

(I) lost voluntary control or consciousness ... yes ... no

(II) experienced vertigo or multiple episodes of dizziness or fainting ... yes ... no

(III) experienced disorientation ... yes ... no

(IV) experienced seizures ... yes ... no

(V) experienced impairment of memory, memory loss ... yes ... no

Please explain:

(B) Do you experience any condition which affects your ability to operate a motor vehicle? (e.g. due to loss of, or impairment of, foot, leg, hand, arm; neurological or neuromuscular disease, etc.) ... yes ... no

Please explain:

(C) Since the issuance of your last driver's license/permit, has your health or medical condition changed or worsened? ... yes ... no

Please explain, including how the above affects your ability to drive:, and (v) may answer the following:

(A) Do you wish to register to vote as part of this application process?

OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING QUESTIONS:

(B) Do you wish to be an organ and tissue donor?

(C) Do you wish to receive any additional specific information regarding organ and tissue donation and the Donor Registry of Nebraska?

(D) Do you wish to donate \$1 to promote the Organ and Tissue Donor Awareness and Education Fund?

(d) Application for an operator's license or state identification card shall include a signed oath, affirmation, or declaration of the applicant that the information provided on the application for the license or card is true and correct.

(e) The social security number shall not be printed on the operator's license or state identification card and shall be used only (i) to furnish information to the United States Selective Service System under section 60-483, (ii) with the permission of the director in connection with the verification of the status of an individual's driving record in this state or any other state, (iii) for purposes of child support enforcement pursuant to section 42-358.08 or 43-512.06, or (iv) to furnish information regarding an applicant for or holder of a commercial driver's license with a hazardous materials endorsement to the Transportation Security Administration of the United States Department of Homeland Security or its agent.

(f)(i) Each individual applying for an operator's license or a state identification card shall furnish proof of date of birth and identity with documents containing a photograph or with nonphoto identity documents which include his or her full legal name and date of birth. Such documents shall include, but not be limited to, any valid Nebraska operator's license or Nebraska state identification card, a valid operator's license or identification card from another state or jurisdiction of the United States, a certified birth certificate, a valid United States passport, or any other United States-based identification as approved by the director.

(ii) Any individual under the age of eighteen years applying for an operator's license or a state identification card shall provide a certified copy of his or her birth certificate or, if such individual is unable to provide a certified copy of his or her birth certificate, other reliable proof of his or her identity and age, as required in subdivision (2)(f)(i) of this section, accompanied by a certification signed by a parent or guardian explaining the inability to produce a copy of such birth certificate. The applicant also may be required to furnish proof to department personnel that

the parent or guardian signing the certification is in fact the parent or guardian of such applicant.

(iii) An applicant may present other documents as proof of identification and age designated by the director. Any documents accepted shall be recorded according to a written exceptions process established by the director.

Sec. 10. Section 60-4,112, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,112 Sections ~~60-4,113~~ 60-4,114, 60-4,116, and 60-4,118 to 60-4,130.05 shall apply to the operation of any motor vehicle except a commercial motor vehicle.

Sec. 11. Section 60-4,113, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,113 ~~In~~ (1) This subsection applies until the implementation date designated by the director pursuant to section 2 of this act. In and for each county in the State of Nebraska, the director shall appoint as his or her agents one or more examiners who shall examine all applicants for an operator's license as provided in section 60-4,114 except as otherwise provided in subsection (8) of section 60-4,122. The director may, in his or her discretion, also appoint one or more examining officers with similar powers as are set forth in section 60-4,114. The same examiner may be assigned to one or more counties by the director. Each county shall furnish office space for the administration of the operator's license examination. The examiner shall actually conduct the examination of applicants and deliver to each successful applicant a certificate entitling such applicant to secure an operator's license. If the examiner refuses to issue such certificate for cause, he or she shall state such cause in writing and deliver the same to the applicant. The successful applicant shall, within ninety days, present his or her certificate to the county treasurer who shall immediately issue the operator's license and collect the fee therefor. The certificate shall be presented in the applicant's county of residence until the Department of Motor Vehicles has established the appropriate procedures for the certificate to be presented to the county treasurer of any county which shall be not later than January 1, 2003. The county treasurer shall report the issuance of such licenses to the Department of Motor Vehicles department within five days after issuance.

(2)(a) This subsection applies beginning on the implementation date designated by the director pursuant to section 2 of this act. In and for each county in the State of Nebraska, the director shall appoint as his or her agents one or more department personnel who shall examine all applicants for a state identification card or an operator's license as provided in section 60-4,114 except as otherwise provided in subsection (8) of section 60-4,122. The same department personnel may be assigned to one or more counties by the director. Each county shall furnish office space for the administration of the operator's license examination. The department personnel shall conduct the examination of applicants and deliver to each successful applicant an issuance certificate. The certificate may be presented to the county treasurer of any county within ninety days after issuance, and the county treasurer shall collect the fee and surcharge as provided in section 60-4,115 and issue a receipt which is valid for up to thirty days. If an operator's license is being issued, the receipt shall also authorize driving privileges for such thirty-day period. If the department personnel refuse to issue an issuance certificate for cause, the department personnel shall state such cause in writing and deliver such written cause to the applicant.

(b) The department may provide for the central production and issuance of operators' licenses and state identification cards. Production shall take place at a secure production facility designated by the director. The licenses and cards shall be of such a design and produced in such a way as to discourage, to the maximum extent possible, fraud in applicant enrollment, identity theft, and the forgery and counterfeiting of such licenses and cards. Delivery of an operator's license or state identification card shall be to the mailing address provided by the applicant at the time of application.

Sec. 12. Section 60-4,115, Revised Statutes Cumulative Supplement, 2006, is amended to read:

60-4,115 (1) Fees for operators' licenses and state identification cards shall be collected and distributed according to the table in subsection (2) of this section. County officials shall remit the county portion of the fees collected to the county treasurer for placement in the county general fund. All other fees collected shall be remitted to the State Treasurer for credit to the appropriate fund. The State Treasurer shall transfer an amount equal to three dollars and fifty cents times the number of original or renewal Class M licenses issued pursuant to section 60-4,127 during the previous year

from the Department of Motor Vehicles Cash Fund to the Motorcycle Safety Education Fund.

(2) The fees provided in this subsection in the following dollar amounts apply for operators' licenses and state identification cards.

Document	Department			
	Total	County	of Motor	State
	Fee	Fund	Cash Fund	General Fund
State identification card:				
Valid for 1 year or less	4.75	2.75	1.00	1.00
Valid for more than 1 year but not more than 2 years	9.50	2.75	3.50	3.25
Valid for more than 2 years but not more than 3 years	14.25	2.75	5.50	6.00
<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>2.75</u>	<u>1.25</u>	<u>1.00</u>
<u>Valid for more than 1 year but not more than 2 years</u>	<u>10.00</u>	<u>2.75</u>	<u>4.00</u>	<u>3.25</u>
<u>Valid for more than 2 years but not more than 3 years</u>	<u>14.00</u>	<u>2.75</u>	<u>5.25</u>	<u>6.00</u>
Valid for more than 3 years but not more than 4 years	19.00	2.75	8.00	8.25
Valid for more than 4 years for person under 21	23.75	2.75	10.00	11.00
Valid for 5 years	23.75	3.50	10.00	10.25
Duplicate or replacement	11.25	2.75	6.25	2.25
Class O or M operator's license:				
Valid for 1 year or less	4.75	2.75	1.00	1.00
Valid for more than 1 year but not more than 2 years	9.50	2.75	3.50	3.25
Valid for more than 2 years but not more than 3 years	14.25	2.75	5.50	6.00
Valid for more than 3 years but not more than 4 years	19.00	2.75	8.00	8.25
Valid for 5 years	23.75	3.50	10.00	10.25
Bioptic or telescopic lens restriction:				
Valid for 1 year or less	4.75	0	4.75	0
Valid for more than 1 year				

LB 911				LB 911
but not more than 2 years	9.50	2.75	3.50	3.25
Duplicate or replacement	11.25	2.75	6.25	2.25
<u>Valid for more than 4 years</u>				
<u>for person under 21</u>	<u>24.00</u>	<u>2.75</u>	<u>10.25</u>	<u>11.00</u>
<u>Valid for 5 years</u>	<u>24.00</u>	<u>3.50</u>	<u>10.25</u>	<u>10.25</u>
<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
<u>Class O or M operator's license:</u>				
<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>2.75</u>	<u>1.25</u>	<u>1.00</u>
<u>Valid for more than 1 year</u>				
<u>but not more than 2 years</u>	<u>10.00</u>	<u>2.75</u>	<u>4.00</u>	<u>3.25</u>
<u>Valid for more than 2 years</u>				
<u>but not more than 3 years</u>	<u>14.00</u>	<u>2.75</u>	<u>5.25</u>	<u>6.00</u>
<u>Valid for more than 3 years</u>				
<u>but not more than 4 years</u>	<u>19.00</u>	<u>2.75</u>	<u>8.00</u>	<u>8.25</u>
<u>Valid for 5 years</u>	<u>24.00</u>	<u>3.50</u>	<u>10.25</u>	<u>10.25</u>
<u>Bioptic or telescopic lens restriction:</u>				
<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
<u>Valid for more than 1 year</u>				
<u>but not more than 2 years</u>	<u>10.00</u>	<u>2.75</u>	<u>4.00</u>	<u>3.25</u>
<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
<u>Change of class or restriction</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
<u>Add, change, or remove class,</u>				
<u>endorsement, or restriction</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
<u>Provisional operator's permit:</u>				
<u>Original</u>	<u>15.00</u>	<u>2.75</u>	<u>12.25</u>	<u>0</u>
<u>Bioptic or telescopic lens restriction:</u>				
<u>Valid for 1 year or less</u>	<u>4.75</u>	<u>0</u>	<u>4.75</u>	<u>0</u>
<u>Valid for 1 year or less</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
<u>Valid for more than 1 year</u>				
<u>but not more than 2 years</u>	<u>15.00</u>	<u>2.75</u>	<u>12.25</u>	<u>0</u>
<u>Duplicate or replacement</u>	<u>11.25</u>	<u>2.75</u>	<u>6.25</u>	<u>2.25</u>
<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
<u>Add, change, or remove class,</u>				
<u>endorsement, or restriction</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
<u>LPD-learner's permit:</u>				
<u>Original</u>	<u>8.00</u>	<u>.25</u>	<u>5.00</u>	<u>2.75</u>

Duplicate or replacement	11.25	2.75	6.25	2.25
<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
<u>Add, change, or remove class, endorsement, or restriction</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
LPE-learner's permit:				
Original	8.00	.25	5.00	2.75
Duplicate or replacement	11.25	2.75	6.25	2.25
<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
<u>Add, change, or remove class, endorsement, or restriction</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
School permit:				
Original	8.00	.25	5.00	2.75
Duplicate	11.25	2.75	6.25	2.25
<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
<u>Add, change, or remove class, endorsement, or restriction</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
Farm permit:				
Original or renewal	5.00	.25	0	4.75
<u>Duplicate or replacement</u>	<u>5.00</u>	<u>.25</u>	<u>0</u>	<u>4.75</u>
Temporary	5.00	.25	0	4.75
<u>Add, change, or remove class, endorsement, or restriction</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
Driving permits:				
Employment	45.00	0	5.00	40.00
Medical hardship	45.00	0	5.00	40.00
<u>Duplicate or replacement</u>	<u>10.00</u>	<u>.25</u>	<u>5.00</u>	<u>4.75</u>
<u>Add, change, or remove class, endorsement, or restriction</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
Commercial driver's license:				
Valid for 1 year or less	11.00	1.75	5.00	4.25
Valid for more than 1 year but not more than 2 years	22.00	1.75	5.00	15.25
Valid for more than 2 years but not more than 3 years	33.00	1.75	5.00	26.25
Valid for more than 3 years but not more than 4 years	44.00	1.75	5.00	37.25

Valid for 5 years	55.00	1.75	5.00	48.25
Biotopic or telescopic lens restriction:				
Valid for one year or less	11.00	1.75	5.00	4.25
Valid for more than 1 year but not more than 2 years	22.00	1.75	5.00	15.25
Duplicate or replacement	11.25	2.75	6.25	2.25
Change of class, endorsement, or restriction	10.00	1.75	5.00	3.25
<u>Duplicate or replacement</u>	<u>11.00</u>	<u>2.75</u>	<u>6.00</u>	<u>2.25</u>
<u>Add, change, or remove class, endorsement, or restriction</u>	<u>10.00</u>	<u>1.75</u>	<u>5.00</u>	<u>3.25</u>
LPC-learner's permit:				
Original or renewal	10.00	.25	5.00	4.75
Duplicate or replacement	10.00	.25	5.00	4.75
Change of class, endorsement, or restriction	10.00	.25	5.00	4.75
<u>Add, change, or remove class, endorsement, or restriction</u>	<u>10.00</u>	<u>.25</u>	<u>5.00</u>	<u>4.75</u>
Seasonal permit:				
Original or renewal	10.00	.25	5.00	4.75
Duplicate or replacement	10.00	.25	5.00	4.75
Change of class, endorsement, or restriction	10.00	.25	5.00	4.75
<u>Add, change, or remove class, endorsement, or restriction</u>	<u>10.00</u>	<u>.25</u>	<u>5.00</u>	<u>4.75</u>
<u>School bus permit:</u>				
<u>Original or renewal</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
<u>Duplicate or replacement</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>
<u>Add, change, or remove class, endorsement, or restriction</u>	<u>5.00</u>	<u>0</u>	<u>5.00</u>	<u>0</u>

(3) If the Department of Motor Vehicles department issues an operator's license or a state identification card, the department shall remit the county portion of the fees to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

(4) This subsection applies beginning on the implementation date designated by the director pursuant to section 2 of this act. The department and its agents may collect an identity security surcharge to cover the cost of security and technology practices used to protect the identity of applicants for and holders of operators' licenses and state identification cards and to reduce identity theft, fraud, and forgery and counterfeiting of such licenses and cards to the maximum extent possible. The surcharge shall be in addition to all other required fees for operators' licenses and state identification

cards. The amount of the surcharge shall be determined by the department. The surcharge shall not exceed eight dollars. The surcharge shall be remitted to the State Treasurer for credit to the Department of Motor Vehicles Cash Fund.

Sec. 13. Section 60-4,117, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,117 ~~(1)~~ Upon (1)(a) This subsection applies until the implementation date designated by the director pursuant to section 2 of this act. Upon presentation of the certificate for an operator's license issued by the examining officer to the applicant for such license, the county treasurer shall issue such license to the applicant. The license shall be in full force and effect until the expiration date thereon, until officially revoked, suspended, canceled by an order of the director, or until ordered revoked or impounded by a court of competent jurisdiction.

~~(2) (b) The operator's license shall be in a form prescribed by the Department of Motor Vehicles.~~ department. The license may include security features prescribed by the department. The license shall be conspicuously marked Nebraska Operator's License, shall be, to the maximum extent practicable, tamper proof, and shall include the following information:

~~(a) (i) The name and residential and post office address of the holder;~~

~~(b) (ii) The holder's color photograph or digital image;~~

~~(c) (iii) A physical description of the holder, including sex, height, weight, and eye and hair colors;~~

~~(d) (iv) The holder's date of birth;~~

~~(e) (v) The holder's signature;~~

~~(f) (vi) The class of motor vehicle which the holder is authorized to operate and any endorsements or restrictions;~~

~~(g) (vii) The dates between which the license is valid;~~

~~(h) (viii) The organ and tissue donation information specified in section 60-494; and~~

~~(i) (ix) Such other facts and information as the director may determine.~~

~~(3) (c) Machine-readable information encoded on an operator's license shall be limited to the information appearing on the face of the license.~~

(2)(a) This subsection applies beginning on the implementation date designated by the director pursuant to section 2 of this act. Upon presentation of an issuance certificate for an operator's license or state identification card issued by department personnel to the applicant, the county treasurer shall collect the applicable fee and surcharge as prescribed in section 60-4,115 and issue a receipt which is valid for up to thirty days. If there is cause for an operator's license to be issued, the receipt shall also authorize driving privileges for such thirty-day period. The license or card shall be delivered as provided in section 60-4,113.

(b) The operator's license and state identification card shall be in a form prescribed by the department. The license and card may include security features prescribed by the department. The license and card shall be conspicuously marked Nebraska Operator's License or Nebraska Identification Card, shall be, to the maximum extent practicable, tamper and forgery proof, and shall include the following information:

(i) The full legal name and principal residence address of the holder;

(ii) The holder's full facial digital image;

(iii) A physical description of the holder, including gender, height, weight, and eye and hair colors;

(iv) The holder's date of birth;

(v) The holder's signature;

(vi) The class of motor vehicle which the holder is authorized to operate and any applicable endorsements or restrictions;

(vii) The issuance and expiration date of the license or card;

(viii) The organ and tissue donation information specified in section 60-494; and

(ix) Such other marks and information as the director may determine.

(c) Each operator's license and state identification card shall contain the following encoded, machine-readable information: The holder's full legal name; date of birth; gender; race or ethnicity; document issue date; document expiration date; principal residence address; unique identification number; revision date; inventory control number; and state of issuance.

Sec. 14. Section 60-4,118.05, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,118.05 (1) No operator's license referred to in section 60-4,118 shall, under any circumstances, be issued to any person who has

not attained the age of seventeen years.

(2) No operator's license shall be issued to a person under eighteen years of age applying for an operator's license under section 60-4,118 unless such person:

(a) Has possessed a valid provisional operator's permit for at least a twelve-month period beginning on the date of issuance of such person's provisional operator's permit; and

(b) Has not accumulated three or more points pursuant to section 60-4,182 during the twelve-month period immediately preceding the date of the application for the operator's license; + and

~~(c) Has surrendered the provisional operator's permit to the examiner.~~

(3) ~~The Department of Motor Vehicles shall~~ department may waive the written examination and the driving test required under section 60-4,118 for any person seventeen to twenty-one years of age applying for his or her initial operator's license if he or she has been issued a provisional operator's permit. The department shall not waive the written examination and the driving test required under this section if the person is applying for a commercial driver's license or permit or if the operator's license being applied for contains a class or endorsement which is different from the class or endorsement of the provisional operator's permit.

Sec. 15. Section 60-4,120.01, Revised Statutes Supplement, 2007, is amended to read:

60-4,120.01 (1) (a) Any person who is at least sixteen years of age but less than eighteen years of age may be issued a provisional operator's permit by the Department of Motor Vehicles. The provisional operator's permit shall expire on the applicant's eighteenth birthday.

(b) No provisional operator's permit shall be issued to any person unless such person:

(i) Has possessed a valid Nebraska LPD-learner's permit, LPE-learner's permit, or SCP-school permit for at least a six-month period beginning on the date of issuance of such person's LPD-learner's permit, LPE-learner's permit, or SCP-school permit; and

(ii) Has not accumulated three or more points pursuant to section 60-4,182 during the six-month period immediately preceding the date of the application for the provisional operator's permit.

(c) The requirements for the provisional operator's permit prescribed in subdivisions (2) (a) and (b) of this section may be completed prior to the applicant's sixteenth birthday. A person may apply for a provisional operator's permit and take the driving test and the written examination, if required, at any time within sixty days prior to his or her sixteenth birthday upon proof of age in the manner provided in section 60-484.

(2) In order to obtain a provisional operator's permit, the applicant shall present ~~to the examiner~~ (a) (i) proof of successful completion of a department-approved driver safety course which includes behind-the-wheel driving specifically emphasizing (A) the effects of the consumption of alcohol on a person operating a motor vehicle, (B) occupant protection systems, (C) risk assessment, and (D) railroad crossing safety and (ii) proof of successful completion of a written examination and driving test administered by a driver safety course instructor or (b) a certificate in a form prescribed by the department, signed by a parent, guardian, or licensed driver at least twenty-one years of age, verifying that the applicant has completed fifty hours of lawful motor vehicle operation including at least ten hours of motor vehicle operation between sunset and sunrise, under conditions that reflect department-approved driver safety course curriculum, with a parent, guardian, or adult at least twenty-one years of age, who has a current Nebraska operator's license or who is licensed in another state. If the applicant presents such a certificate, the applicant shall be required to successfully complete a driving test administered by ~~an examiner~~ of the department. The written examination shall be waived if the applicant ~~surrenders~~ has been issued a Nebraska LPD-learner's permit or has been issued a Nebraska LPE-learner's permit ~~after January 1, 2006,~~ and such permit is valid or has been expired for no more than one year, prior to surrender. However, the department shall not waive the written examination if the provisional operator's permit being applied for contains a class or endorsement which is different from the class or endorsement of the LPD-learner's or LPE-learner's permit. Upon presentation ~~to the examiner~~ by the applicant of a form prescribed by the department showing successful completion of the driver safety course, the ~~examiner shall waive the~~ written examination and driving test may be waived. Upon presentation ~~to the examiner~~ of the certificate, the ~~examiner shall waive the~~ written examination but not the driving test may be waived. The examiner shall waive the written examination and the driving

test if the applicant has been issued a school permit and such permit is valid or has expired no more than one year prior to application. The written examination shall not be waived if the provisional operator's permit being applied for contains a class or endorsement which is different from the class or endorsement of the school permit.

(3) (a) The holder of a provisional operator's permit shall only operate a motor vehicle on the highways of this state during the period beginning at 6 a.m. and ending at 12 midnight except when he or she is en route to or from his or her residence to his or her place of employment or a school activity. The holder of a provisional operator's permit may operate a motor vehicle on the highways of this state at any hour of the day or night if accompanied by a parent, guardian, or adult at least twenty-one years of age, who has a current Nebraska operator's license or who is licensed in another state.

(b) The holder of a provisional operator's permit shall only operate a motor vehicle on the highways of this state during the first six months of holding the permit with no more than one passenger who is not an immediate family member and who is under nineteen years of age.

(c) The holder of a provisional operator's permit shall not use any type of interactive wireless communication device while operating a motor vehicle on the highways of this state.

(d) Enforcement of subdivisions (a), (b), and (c) of this subsection shall be accomplished only as a secondary action when the holder of the provisional operator's permit has been cited or charged with a violation of some other law.

(4) The county treasurer shall collect the fee and surcharge prescribed in section 60-4,115 for the issuance of each provisional operator's permit.

Sec. 16. Section 60-4,122, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,122 (1) Except as otherwise provided in subsections (2), (3), and (8) of this section, no original or renewal operator's license shall be issued to any person until such person has ~~appeared before an examiner to demonstrate~~ demonstrated his or her ability to operate a motor vehicle safely as provided in section 60-4,114.

(2) Except as otherwise provided in this section and section 60-4,127, any person who renews his or her Class O or Class M license shall ~~appear before an examiner to demonstrate~~ his or her ability to drive and maneuver a motor vehicle safely as provided in subdivision (3)(b) of section 60-4,114 only at the discretion of ~~the examiner,~~ department personnel, except that a person required to use bioptic or telescopic lenses shall be required to demonstrate his or her ability to drive and maneuver a motor vehicle safely each time he or she renews his or her license.

(3) Any person who renews his or her Class O or Class M license prior to or within one year after its expiration shall ~~may not~~ be required to demonstrate his or her knowledge of the motor vehicle laws of this state as provided in subdivision (3)(c) of section 60-4,114 if his or her driving record abstract maintained in the computerized records of the ~~Department of Motor Vehicles~~ department shows that such person's license is not suspended, revoked, or canceled.

(4) Except for operators' licenses issued to persons required to use bioptic or telescopic lenses, any person who renews his or her operator's license which has been valid for fifteen months or less shall not be required to take any examination required under section 60-4,114.

(5) Any person who renews a state identification card shall appear ~~before an examiner~~ department personnel and present his or her current state identification card or shall follow the procedure for electronic renewal in subsection (9) of this section. ~~The examining officer, upon examination of the card, may require one additional form of proof of identification described in section 60-484.~~ Proof of identification shall be required as prescribed in sections 60-484 and 60-4,181.

(6) A nonresident who applies for an initial operator's license in this state and who holds a valid operator's license from another state which is his or her state of residence shall ~~may not~~ be required to demonstrate his or her knowledge of the motor vehicle laws of this state if he or she surrenders to the examiner his or her valid out-of-state operator's license.

(7) An applicant for an original operator's license shall ~~may not~~ be required to demonstrate his or her knowledge of the motor vehicle laws of this state if he or she ~~surrenders to the examiner his or her~~ has been issued a Nebraska LPD-learner's permit issued after January 1, 1999, and such permit that is valid or has been expired for no more than one year, prior to surrender. The written examination shall not be waived if the original

operator's license being applied for contains a class or endorsement which is different from the class or endorsement of the Nebraska LPD-learner's permit.

(8) A qualified licensee as determined by the department who is twenty-one years of age or older and less than sixty-five years of age and who has a digital image and digital signature preserved in the digital system may renew his or her Class O or Class M license once by electronic means in a manner prescribed by the department using the preserved digital image and digital signature without taking any examination required under section 60-4,114 if such renewal is prior to or within one year after the expiration of the license and if his or her driving record abstract maintained in the records of the department shows that such person's license is not suspended, revoked, or canceled. Every licensee must apply for renewal in person at least once every ten years and have a new digital image and digital signature taken.

(9) Any person who is twenty-one years of age or older and who has been issued a state identification card with a digital image and digital signature may electronically renew his or her state identification card once by electronic means in a manner prescribed by the department using the preserved digital image and digital signature. Every holder of a state identification card shall apply for renewal in person at least once every ten years and have a new digital image and digital signature taken.

Sec. 17. Section 60-4,123, Revised Statutes Supplement, 2007, is amended to read:

60-4,123 (1) Any person who is at least fifteen years of age may apply for an LPD-learner's permit from the ~~Department of Motor Vehicles-~~ department. In order to obtain an LPD-learner's permit, the applicant shall successfully complete a written examination. A person may take the written examination beginning sixty days prior to his or her fifteenth birthday but shall not be issued a permit until he or she is fifteen years of age. The written examination ~~shall~~ may be waived for any person who has been issued an LPE-learner's permit, LPD-learner's permit, or SCP-school permit that has been expired for no more than one year. after January 1, 2006.

(2) Upon successful completion of the written examination and the payment of a fee and surcharge as prescribed in section 60-4,115, the applicant shall be issued an LPD-learner's permit ~~from the county treasurer-~~ as provided in section 60-4,113. The permit shall be valid for twelve months.

(3)(a) The holder of an LPD-learner's permit shall only operate a motor vehicle on the highways of this state if he or she is accompanied at all times by a licensed operator who is at least twenty-one years of age and who has been licensed by this state or another state and if he or she is actually occupying the seat beside the licensed operator or, in the case of a motorcycle or moped, if he or she is within visual contact of and under the supervision of, in the case of a motorcycle, a licensed motorcycle operator or, in the case of a moped, a licensed motor vehicle operator.

(b) The holder of an LPD-learner's permit shall not use any type of interactive wireless communication device while operating a motor vehicle on the highways of this state. Enforcement of this subdivision shall be accomplished only as a secondary action when the holder of the LPD-learner's permit has been cited or charged with a violation of some other law.

(4) The county treasurer shall collect the fee and surcharge prescribed in section 60-4,115 for the issuance of each LPD-learner's permit.

Sec. 18. Section 60-4,124, Revised Statutes Supplement, 2007, is amended to read:

60-4,124 (1) A person who is younger than sixteen years and three months of age but is older than fourteen years and two months of age may be issued, ~~by the county treasurer,~~ a school permit if such person lives a distance of one and one-half miles or more from the school he or she attends and either resides outside a city of the metropolitan, primary, or first class or attends a school which is outside a city of the metropolitan, primary, or first class and if such person has held an LPE-learner's permit for two months. A school permit shall not be issued until such person has ~~appeared before an examiner to demonstrate~~ demonstrated that he or she is capable of successfully operating a motor vehicle, moped, or motorcycle and has in his or her possession an ~~examiner's certificate~~ issuance certificate authorizing the county treasurer to issue a school permit. In order to obtain an ~~examiner's certificate~~ issuance certificate, the applicant shall present ~~to the examiner~~ (a) proof of successful completion of a department-approved driver safety course which includes behind-the-wheel driving specifically emphasizing (i) the effects of the consumption of alcohol on a person operating a motor vehicle, (ii) occupant protection systems, (iii) risk assessment, and (iv) railroad crossing safety and (b)(i) proof of successful completion of a written examination and driving test administered by a driver safety course instructor or (ii) a certificate in a form prescribed by the department,

signed by a parent, guardian, or licensed driver at least twenty-one years of age, verifying that the applicant has completed fifty hours of lawful motor vehicle operation, under conditions that reflect department-approved driver safety course curriculum, with a parent, guardian, or adult at least twenty-one years of age, who has a ~~then~~ current Nebraska operator's license or who is licensed in another state. ~~The Department of Motor Vehicles shall~~ department may waive the written examination if the applicant ~~surrenders~~ has been issued an LPE-learner's permit ~~issued after January 1, 2006, or~~ LPD-learner's permit and if such permit is valid or has expired no more than one year prior to application. The written examination shall not be waived if the permit being applied for contains a class or endorsement which is different from the class or endorsement of the LPE-learner's permit.

(2) A person holding a school permit may operate a motor vehicle, moped, or motorcycle:

(a) To and from where he or she attends school and between schools of enrollment over the most direct and accessible route by the nearest highway from his or her place of residence to transport such person or any family member who resides with such person to attend duly scheduled courses of instruction and extracurricular or school-related activities at the school he or she attends; or

(b) Under the personal supervision of a licensed operator. Such licensed operator shall be at least twenty-one years of age and licensed by this state or another state and shall actually occupy the seat beside the permitholder or, in the case of a motorcycle or moped, if the permitholder is within visual contact of and under the supervision of, in the case of a motorcycle, a licensed motorcycle operator or, in the case of a moped, a licensed motor vehicle operator.

(3) The holder of a school permit shall not use any type of interactive wireless communication device while operating a motor vehicle on the highways of this state. Enforcement of this subsection shall be accomplished only as a secondary action when the holder of the school permit has been cited or charged with a violation of some other law.

(4) A person who is younger than sixteen years of age but is over fourteen years of age may be issued an LPE-learner's permit, ~~from the county treasurer,~~ which permit shall be valid for a period of three months. An LPE-learner's permit shall not be issued until such person successfully completes a written examination prescribed by the department and demonstrates that he or she has sufficient powers of eyesight to safely operate a motor vehicle, moped, or motorcycle.

(5)(a) While holding the LPE-learner's permit, the person may operate a motor vehicle on the highways of this state if he or she has seated next to him or her a person who is a licensed operator or, in the case of a motorcycle or moped, if he or she is within visual contact of and is under the supervision of a person who, in the case of a motorcycle, is a licensed motorcycle operator or, in the case of a moped, is a licensed motor vehicle operator. Such licensed motor vehicle or motorcycle operator shall be at least twenty-one years of age and licensed by this state or another state.

(b) The holder of an LPE-learner's permit shall not use any type of interactive wireless communication device while operating a motor vehicle on the highways of this state. Enforcement of this subdivision shall be accomplished only as a secondary action when the holder of the LPE-learner's permit has been cited or charged with a violation of some other law.

(6) The county treasurer shall collect the fee and surcharge prescribed in section 60-4,115 from each successful applicant for a school or LPE-learner's permit. All school permits shall be subject to impoundment or revocation under the terms of section 60-496. Any person who violates the terms of a school permit shall be guilty of an infraction and shall not be eligible for another ~~operator's license or~~ school, farm, LPD-learner's, or LPE-learner's permit until he or she has attained the age of sixteen years.

Sec. 19. Section 60-4,126, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,126 Any person who is younger than sixteen years of age but is over thirteen years of age and resides upon a farm in this state or is fourteen years of age or older and is employed for compensation upon a farm in this state may obtain a farm permit authorizing the operation of farm tractors and other motorized implements of farm husbandry upon the highways of this state if the applicant for such farm permit furnishes ~~to an examiner~~ satisfactory proof of age and satisfactorily demonstrates ~~to the examiner~~ that he or she has knowledge of the operation of such equipment and of the rules of the road and laws respecting the operation of motor vehicles upon the highways of this state. Any person under sixteen years of age but not less than thirteen years of age may obtain a temporary permit to operate

such equipment for a six-month period after presentation to the ~~Department of Motor Vehicles~~ department of a request for the temporary permit signed by the person's parent or guardian and payment of the fee and surcharge prescribed in section 60-4,115. After the expiration of the six-month period, it shall be unlawful for such person to operate such equipment upon the highways of this state unless he or she has been issued a farm permit under this section. The fee for an original, renewal, or duplicate farm permit shall be the fee and surcharge prescribed in section 60-4,115. All farm permits shall be subject to revocation under the terms of section 60-496. Any person who violates the terms of a farm permit shall be guilty of an infraction and shall not be eligible for another ~~operator's license or school, farm, LPD-learner's, or LPE-learner's permit~~ until he or she has attained the age of sixteen years. ~~Farm permits are not part of the digital system implemented under section 60-484.01 and may not be issued or renewed electronically.~~

Sec. 20. Section 60-4,127, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,127 (1) No person shall operate a motorcycle on the alleys or highways of the State of Nebraska until such person has obtained a Class M license. No such license shall be issued until the applicant has ~~appeared before an examiner and~~ (1) ~~satisfied the examiner that he or she meets~~ (a) met the vision and physical requirements established under section 60-4,118 for operation of a motor vehicle and ~~(2)~~ (b) ~~successfully completed an examination, including the actual operation of a motorcycle, prescribed by the director, except that an examiner shall waive the required examination may be waived,~~ including the actual operation of a motorcycle, if the applicant presents proof of successful completion of a motorcycle safety course under the Motorcycle Safety Education Act within the immediately preceding forty-eight months, ~~or if the driving record abstract of the applicant maintained in the computerized records of the Department of Motor Vehicles shows that the applicant has had no traffic violations as described in section 60-4,182 from the date the applicant's operator's license was last issued to the date of the abstract.~~

(2)(a) This subdivision applies until the implementation date designated by the director pursuant to section 2 of this act. Any applicant who qualifies for a Class M license shall be issued a license for such operation by the county treasurer as provided for the issuance of an operator's license. If the applicant, or if he or she is the holder of an operator's license, the county treasurer shall, upon receipt of the examiner's certificate, endorse have endorsed on the license the authorization to operate a motorcycle. Fees for Class M licenses shall be as provided by section 60-4,115.

(b) This subdivision applies beginning on the implementation date designated by the director pursuant to section 2 of this act. Upon presentation of an issuance certificate, the county treasurer shall collect the fee and surcharge for a Class M license as prescribed by section 60-4,115 and issue a receipt with driving privileges which is valid for up to thirty days. The license shall be delivered as provided in section 60-4,113. If the applicant is the holder of an operator's license, the county treasurer shall, upon receipt of the examiner's certificate, have endorsed on the license the authorization to operate a motorcycle. Fees for Class M licenses shall be as provided by section 60-4,115.

Sec. 21. Section 60-4,144, Revised Statutes Cumulative Supplement, 2006, is amended to read:

60-4,144 ~~(1)~~ (1)(a) This subsection applies until the implementation date designated by the director pursuant to section 2 of this act. Application for any original or renewal commercial driver's license or application for any change of class of commercial motor vehicle, endorsement, or restriction may be made in a manner prescribed by the department. Such application may be made to an examiner in any county. The examiner shall personally conduct the examination of the applicant and deliver to each successful applicant an examiner's certificate containing the statements made pursuant to ~~subsection (2) subdivision (b) of this section.~~ subsection.

~~(2)~~ (b) The application or examiner's certificate shall include the voter registration portion pursuant to section 32-308, the advisement language required by subsection (5) of section 60-6,197, and the following:

~~(a)~~ (i) The full name, the current mailing address, and the residential address of the applicant, except that if the applicant is a program participant under the Address Confidentiality Act, he or she need not supply his or her residential address;

~~(b)~~ (ii) A physical description of the applicant, including sex, height, weight, and eye and hair colors;

~~(c)~~ (iii) The applicant's date of birth;

- ~~(d)~~ (iv) The applicant's social security number;
- ~~(e)~~ (v) The applicant's signature;
- ~~(f)~~ (vi) Certification that the commercial motor vehicle in which the applicant takes any driving skills examination is representative of the class of commercial motor vehicle that the applicant operates or expects to operate;
- ~~(g)~~ (vii) The certification required pursuant to section 60-4,145 or 60-4,146;
- ~~(h)~~ (viii) Beginning September 30, 2005, the names of all states where the applicant has been licensed to operate any type of motor vehicle in the ten years prior to the date of application;
- ~~(i)~~ (ix) The following specific questions:
 - ~~(i)~~ (A) Have you within the last three months (e.g. due to diabetes, epilepsy, mental illness, head injury, stroke, heart condition, neurological disease, etc.):
 - ~~(A)~~ (I) lost voluntary control or consciousness ... yes ... no
 - ~~(B)~~ (II) experienced vertigo or multiple episodes of dizziness or fainting ... yes ... no
 - ~~(C)~~ (III) experienced disorientation ... yes ... no
 - ~~(D)~~ (IV) experienced seizures ... yes ... no
 - ~~(E)~~ (V) experienced impairment of memory, memory loss ... yes ... no
 Please explain:
 - ~~(ii)~~ (B) Do you experience any condition which affects your ability to operate a motor vehicle? (e.g. due to loss of or impairment of foot, leg, hand, or arm; neurological or neuromuscular disease, etc.) ... yes ... no
Please explain:
 - ~~(iii)~~ (C) Since the issuance of your last driver's license/permit has your health or medical condition changed or worsened? ... yes ... no
Please explain, including how the above affects your ability to drive:
- ~~(j)~~ (x) Do you wish to register to vote as part of this application process?

OPTIONAL - YOU ARE NOT REQUIRED TO ANSWER ANY OF THE FOLLOWING QUESTIONS:

- ~~(k)~~ (xi) Do you wish to be an organ and tissue donor?
- ~~(l)~~ (xii) Do you wish to receive any additional specific information regarding organ and tissue donation and the Donor Registry of Nebraska?
- ~~(m)~~ (xiii) Do you wish to donate \$1 to promote the Organ and Tissue Donor Awareness and Education Fund?
- ~~(3)~~ (c) Application shall be made under oath or affirmation of the applicant.

(2) This subsection applies beginning on the implementation date designated by the director pursuant to section 2 of this act. An applicant for any original or renewal commercial driver's license or an applicant for a change of class of commercial motor vehicle, endorsement, or restriction shall demonstrate his or her knowledge and skills for operating a commercial motor vehicle as prescribed in the Motor Vehicle Operator's License Act. An applicant for a commercial driver's license shall provide the information and documentation required by this section and section 60-484. Such information and documentation shall include:

- (a) Certification that the commercial motor vehicle in which the applicant takes any driving skills examination is representative of the class of commercial motor vehicle that the applicant operates or expects to operate;
- (b) The certification required pursuant to section 60-4,145 or 60-4,146; and
- (c) The names of all states where the applicant has been licensed to operate any type of motor vehicle in the ten years prior to the date of application.

Sec. 22. Section 60-4,148, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,148 (1) All commercial drivers' licenses shall be issued by the ~~Department of Motor Vehicles~~ department as provided in section 60-4,149. Successful applicants shall pay ~~to the county treasurer~~ the fee and surcharge prescribed in section 60-4,115.

(2) Any person making application to add or remove a class of commercial motor vehicle, any endorsement, or any restriction to or from a previously issued and outstanding commercial driver's license shall pay the fee and surcharge prescribed in section 60-4,115. The fee for an original or renewal seasonal permit to revalidate the restricted commercial motor vehicle operating privilege to a previously issued and outstanding restricted commercial driver's license shall be the fee and surcharge prescribed in section 60-4,115.

Sec. 23. Section 60-4,149, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,149 (1) The examination for commercial drivers' licenses by the ~~Department of Motor Vehicles~~ department shall occur in and for each county of the State of Nebraska. Each county shall furnish office space for the administration of the examinations, except that two or more counties may, with the permission of the director, establish a separate facility to jointly conduct the examinations for such licenses.

(2) Except as provided for by section 60-4,157, all commercial driver's license examinations shall be conducted by ~~examiners~~ department personnel designated by the director. ~~The examiner shall deliver to each~~ Each successful applicant shall be issued a certificate entitling the applicant to secure a commercial driver's license. ~~If the examiner refuses~~ department personnel refuse to issue such certificate for cause, he or she shall state such cause in writing and deliver the same to the applicant. ~~An examiner is not~~ Department personnel shall not be required to hold a commercial driver's license to administer a driving skills examination and occupy the seat beside an applicant for a commercial driver's license.

~~(3)~~ (3) (a) This subdivision applies until the implementation date designated by the director pursuant to section 2 of this act. The successful applicant shall, within thirty days, present his or her certificate to the county treasurer who shall immediately issue the commercial driver's license and collect the fee. The county treasurer shall report the issuance of commercial drivers' licenses and LPC-learners' permits to the department within five days after issuance.

(b) This subdivision applies beginning on the implementation date designated by the director pursuant to section 2 of this act. The successful applicant shall, within thirty days, present his or her issuance certificate to the county treasurer who shall collect the fee and surcharge as provided in section 60-4,115 and issue a receipt with driving privileges which is valid for up to thirty days. The commercial driver's license shall be delivered to the applicant as provided in section 60-4,113.

Sec. 24. Section 60-4,150, Revised Statutes Cumulative Supplement, 2006, is amended to read:

60-4,150 (1) Any person holding a commercial driver's license who loses his or her license, who requires issuance of a replacement license because of a change of name or address, or whose license is mutilated or unreadable may obtain a duplicate or replacement commercial driver's license by filing with ~~an examiner of the Department of Motor Vehicles~~ an application and affidavit and by furnishing proof of identification in accordance with section 60-484.

(2) The application for a replacement license because of a change of name or address shall be made within sixty days after the change of name or address.

~~(3)~~ (3) (a) This subdivision applies until the implementation date designated by the director pursuant to section 2 of this act. Upon the examiner being satisfied that a duplicate or replacement commercial driver's license should be issued, the applicant shall receive such license upon payment of the fee prescribed in section 60-4,115 to the county treasurer.

(b) This subdivision applies beginning on the implementation date designated by the director pursuant to section 2 of this act. A duplicate or replacement commercial driver's license shall be delivered to the applicant as provided in section 60-4,113 after the county treasurer collects the fee and surcharge prescribed in section 60-4,115 and issues the applicant a receipt with driving privileges which is valid for up to thirty days.

(4) Duplicate and replacement commercial drivers' licenses shall be issued in the manner provided for the issuance of original and renewal commercial drivers' licenses as provided for by section 60-4,149. ~~No more than two duplicate commercial drivers' licenses shall be issued to any applicant in any five-year period.~~ Upon issuance of any duplicate or replacement commercial driver's license, the commercial driver's license for which the duplicate or replacement license is issued shall be void.

Sec. 25. Section 60-4,151, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,151 ~~(1)~~ (1) (a) The commercial driver's license shall be conspicuously marked Nebraska Commercial Driver's License, and shall be, to the maximum extent practicable, tamper and forgery proof. ~~and~~

(b) This subdivision applies until the implementation date designated by the director pursuant to section 2 of this act. The commercial driver's license shall include the following information:

- ~~(a)~~ (i) The name and residential address of the holder;
- ~~(b)~~ (ii) The holder's color photograph or digital image;

~~(e)~~ (iii) A physical description of the holder, including sex, height, weight, and eye and hair colors;
~~(d)~~ (iv) The holder's date of birth;
~~(e)~~ (v) The holder's signature;
~~(f)~~ (vi) The class of commercial motor vehicle or vehicles which the holder is authorized to operate, including any endorsements or restrictions;
~~(g)~~ (vii) The dates between which the commercial driver's license is valid; and
~~(h)~~ (viii) The organ and tissue donor information specified in section 60-494.

(c) This subdivision applies beginning on the implementation date designated by the director pursuant to section 2 of this act. The form of the commercial driver's license shall also comply with section 60-4,117.

(2) The restricted commercial driver's license shall be conspicuously marked Nebraska Restricted Commercial Driver's License and shall be, to the maximum extent practicable, tamper and forgery proof. The restricted commercial driver's license shall contain such additional information as deemed necessary by the director.

(3) The seasonal permit shall contain such information as deemed necessary by the director but shall include the time period during which the commercial motor vehicle operating privilege is effective. The seasonal permit shall be valid only when held in conjunction with a restricted commercial driver's license.

Sec. 26. Section 60-4,181, Reissue Revised Statutes of Nebraska, is amended to read:

60-4,181 ~~(1)~~ (1) (a) This subsection applies until the implementation date designated by the director pursuant to section 2 of this act. A state identification card shall be issued by the county treasurer after the person requesting the card ~~(a)~~ (i) files an application or examiner's certificate with an examining officer, ~~(b)~~ (ii) furnishes two forms of proof of identification described in section 60-484, and ~~(c)~~ (iii) pays the fee prescribed in section 60-4,115 to the county treasurer. The state identification card shall contain the organ and tissue donor information specified in section 60-494.

~~(2)~~ (b) The application or examiner's certificate shall include the name, age, post office address, place of residence unless the applicant is a program participant under the Address Confidentiality Act, date of birth, sex, social security number, and physical description of the applicant, the voter registration portion pursuant to section 32-308, and the following:

~~(a)~~ (i) Do you wish to register to vote as part of this application process?

~~(b)~~ (ii) Do you wish to be an organ and tissue donor?

~~(c)~~ (iii) Do you wish to receive any additional specific information regarding organ and tissue donation and the Donor Registry of Nebraska?

~~(d)~~ (iv) Do you wish to donate \$1 to promote the Organ and Tissue Donor Awareness and Education Fund?

(c) Each state identification card shall contain the following encoded, machine-readable information: The holder's full legal name; date of birth; gender; document issue date; document expiration date; principal residence address; unique identification number; revision date; inventory control number; and state of issuance.

(2) This subsection applies beginning on the implementation date designated by the director pursuant to section 2 of this act. Each applicant for a state identification card shall provide the information and documentation required by section 60-484. The form of the state identification card shall comply with section 60-4,117. Upon presentation of an applicant's issuance certificate, the county treasurer shall collect the fee and surcharge as prescribed in section 60-4,115 and issue a receipt to the applicant which is valid up to thirty days. The state identification card shall be delivered to the applicant as provided in section 60-4,113.

(3) The director may summarily cancel any state identification card, and any judge or magistrate may order a state identification card canceled in a judgment of conviction, if the application or examiner's certificate for the card contains any false or fraudulent statements which were deliberately and knowingly made as to any matter material to the issuance of the card or if the application or examiner's certificate or issuance certificate does not contain required or correct information. Any state identification card so obtained shall be void from the date of issuance. Any judgment of conviction ordering cancellation of a state identification card shall be transmitted to the director who shall cancel the card.

~~(4) Machine-readable information encoded on a state identification card shall be limited to the information appearing on the face of the card.~~

Sec. 27. Original sections 60-479, 60-4,112, 60-4,113, 60-4,117, 60-4,118.05, 60-4,122, 60-4,126, 60-4,127, 60-4,148, 60-4,149, 60-4,151, and 60-4,181, Reissue Revised Statutes of Nebraska, sections 60-484, 60-4,115, 60-4,144, and 60-4,150, Revised Statutes Cumulative Supplement, 2006, and sections 60-462, 60-463, 60-4,120.01, 60-4,123, and 60-4,124, Revised Statutes Supplement, 2007, are repealed.